

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

**EDWARD BINIEK and
MARIA BINIEK,**

Plaintiffs

v

**MARMAXX OPERATING CORP.
and JOFRAN SALES, INC.,**

Defendants

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CIVIL ACTION NO. 3:14-1154

(JUDGE MANNION)

ORDER

For the reasons stated in the court's memorandum issued this same day, **IT IS HEREBY ORDERED THAT:**

1. Marmaxx's motions in limine, (Docs. [30](#), [32](#)), are **DENIED WITHOUT PREJUDICE**.
2. Marmaxx's motion in limine, (Doc. [34](#)), is **DENIED IN ITS ENTIRETY**.
3. Jofran's motion in limine, (Doc. [36](#)), to preclude lay opinion testimony is **GRANTED IN PART** and **DENIED IN PART**.
4. Plaintiffs' motion in limine, (Doc. [38](#)), is **DENIED, IN PART, WITHOUT PREJUDICE** and, **DENIED** regarding Ferguson's opinions that the chair was properly designed and assembled.

s/ *Malachy E. Mannion*
MALACHY E. MANNION
United States District Judge

Dated: September 30 , 2015